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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

November 18, 1999

Mr. Steven H. Wisness, Director  
Office of Site Services  
United States Department of Energy  
P.O. Box 550, MSIN: A5-18  
Richland, Washington 99352



Dear Mr. Wisness:

This letter is in response to your summary report for the October 15, 1999, chemical accident at the 200 Area Effluent Treatment Facility (ETF) letter, received by the Washington State Department of Ecology (Ecology) on November 2, 1999. This letter is intended to accept the information provided and describe our different interpretation of issues associated with the accident. Your letter emphasizes the U.S. Department of Energy's (USDOE's) position that the accident at ETF was not subject to Washington Administrative Code (WAC) 173-303 reporting requirements; but was provided "to resolve any outstanding questions regarding the classification of the incident."

Ecology understands your letter is an effort to provide information required by the regulations without acknowledging the applicability of the regulations. It is not my intent to resolve that issue with this letter. Based on Ecology's understanding of the accident at ETF, and USDOE and it's contractors' response during and after the event, Ecology's conclusion is that your letter satisfies the reporting requirements of WAC 173-303-360 (2)(i), regardless of whether USDOE chooses to acknowledge compliance with or applicability of the regulation.

There are two elements of your letter and the enclosed summary information that Ecology disagrees with. First, in the enclosed summary information, after describing the extent of injuries to the worker sprayed with sulfuric acid in the accident, your summary then states USDOE's assessment of actual or potential hazards to human health is that, "There were no hazards to persons outside the ETF process area . . ." It is clear to Ecology that there was an injury caused by the event to the directly exposed worker. Additionally, several ETF personnel and hazardous material response personnel were reportedly exposed to fumes and received medical evaluation and care. Ecology believes the statement in your summary fails to describe the actual and potential hazards posed to human health due to the accident.

Secondly, your letter includes a partial regulatory excerpt from WAC 173-303-350, interpretations of portions of the excerpt and conclusions supporting the statement, "the Hanford Facility RCRA Contingency Plan was not required to be implemented as a result of the

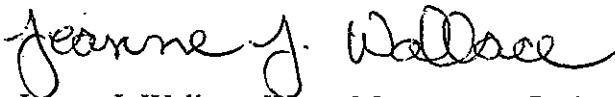
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accident". During the morning after the accident, Ecology concluded, based on notifications received and additional information obtained, that elements of the Hanford emergency response program, including the "Hanford Facility RCRA Contingency Plan" appeared to be properly implemented following the accident. Most importantly, the injured employees were reportedly being cared for and the released hazardous materials were being managed in one of several appropriate manners. As a result, Ecology decided not to conduct a follow-up compliance visit to the ETF.

Currently, Ecology believes the ETF and Hanford contingency plans were properly implemented in response to the release of sulfuric acid. Your letter and entries in the ETF operating log satisfy the reporting requirements of WAC 173-303-360. Ecology considers the matter closed.

If you have any questions regarding this letter, please feel free to contact either Steve Moore at (509) 736-3023 or me at (509) 736-3019.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne J. Wallace".

Jeanne J. Wallace, Waste Management Project Manager  
Nuclear Waste Program

SM:JW:sb

cc: Beth Bilson, USDOE  
Cliff Clark, USDOE  
Greg Sinton, USDOE  
Janice Williams, FDH  
Cindy Girres, WMH  
Kent Smith, WMH  
J.R. Wilkinson, CTUIR  
Pat Sobotta, NPT  
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